IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 2473 OF 2005
(NAGPUR BENCH)

Smt. Chhayadevi w/o.Suresh Jaiswal .... Petitioner

Versus

The State of Mah. and Ors. ... Respondents

CORAM : F.I. REBELLO &
MRS R.S. DALVI.JJ.
DATED : APRIL 12, 2006

P.C.

. Rule. By consent heard forthwith.

. These petitions were kept pending. In the meantime, by amendment to the Bombay Police Act, Establishments like Petitioners could not get performance licence for having dance performances. By a separate judgment passed today in Writ Petition No. 2450 of 2005 and other petitions, we have held Section 33A and Section 33B to be null and void.

. In the instant case, the licence of the Petitioner was cancelled after issuing show cause notice. The major grievance of the petitioner is that they had no sufficient opportunity. In the light of that impugned order dated 27.4.2005 is sought to be set aside.

. Considering what is set out in the order, in our opinion, sufficient opportunity was not given to the Petitioners. Consequently, the order dated 27.4.2005 is set aside. The matter is remanded back to Respondent No. 4 to consider the matter afresh after giving opportunity to the Petitioner.

. Rule made absolute accordingly. No order as to costs.

(F.I. REBELLO,J.)

(MRS. R.S. DALVI,J.)